

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**CHARLES EUGENE FRANKLIN,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA,**

**Respondent.**

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**NO. 3:16-cv-01196  
CHIEF JUDGE CRENSHAW**

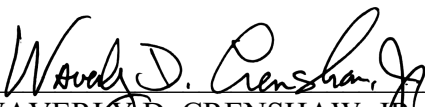
**ORDER**

Pending before the Court are the Petitioner's *pro se* Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside, Or Correct Sentence (Doc. Nos. 1, 2); an Amended Motion For Relief Under 28 U.S.C. § 2255 (Doc. No. 12), filed by counsel for the Petitioner; the Government's Response (Doc. No. 25); a Second Amended Motion For Relief Under 28 U.S.C. § 2255 (Doc. No. 33); the Government's Response To Petitioner's Second Amended Motion (Doc. No. 42); and the Petitioner's Reply (Doc. No. 43). For the reasons set forth in the accompanying Memorandum, the Petitioner's Motions Under 28 U.S.C. § 2255 To Vacate, Set Aside, Or Correct Sentence (Doc. Nos. 1, 2, 12, 33) are **DENIED**, and this action is **DISMISSED**.

This Order shall constitute the judgment in this case pursuant to Fed. R. Civ. P. 58.

Should the Petitioner give timely notice of an appeal from this Order, and the accompanying Memorandum, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will not issue because the Petitioner has failed to make a substantial showing of the denial of a constitutional right. Castro v. United States, 310 F.3d 900 (6th Cir. 2002).

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
Chief United States District Judge